

**MORRISON & FOERSTER LLP**

Attorneys at Law  
3811 Valley Centre Drive, Suite 500  
San Diego, California 92130-2332  
Telephone: (858) 720-5100  
Facsimile: (858) 720-5125

RECEIVED  
CENTRAL FAX CENTER

OCT 07 2004

To: MS Amendment  
U.S. Patent and Trademark Office

Facsimile: (703) 872-9306

From: Gregory P. Einhorn

Date: October 7, 2004

We are transmitting a total of 32 pages (including this page).  
Original or hard copy to follow if this box is checked ☐.

If you do not receive all pages, please call (838) 314-5435 as soon as possible.

Preparer of this slip has confirmed that facsimile number given is correct: 10924/NXG4

If your receipt of this transmission is in error, please notify this firm immediately by collect call to sender at (858) 314-5435 and send the original transmission to us by return mail at the address below.

This transmission is intended for the sole use of the individual and entity to whom it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. You are hereby notified that any dissemination, distribution or duplication of this transmission by someone other than the intended addressee or its designated agent is strictly prohibited.

**Comments:**

Attorney Docket: 564462006000 / D1530-6US  
Group Art Unit: 1652  
Examiner: M. N. Rao  
Serial No.: 10/081,739  
Filing Date: February 21, 2002  
Inventor(s): Walter CALLEN et al.  
Title: ENZYMES HAVING ALPHA AMYLASE ACTIVITY AND METHODS OF USE THEREOF

**Papers attached:**

1. Transmittal Form (1 page)
2. Fee Transmittal (1 page + duplicate for fee processing)
3. Petition for 2-month Extension of Time (1 page)
4. Response to Restriction Requirement and Preliminary Amendment (27 pages)

IF YOU DO NOT RECEIVE ALL OF THE PAGES, PLEASE CALL  
NORM GREEN AT (858) 314-5435 AS SOON AS POSSIBLE.

SD-201146

BEST AVAILABLE COPY

OCT 07 2004

PTO/SB/21 (04-04)

Approved for use through 07/31/2006. OMB 0551-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

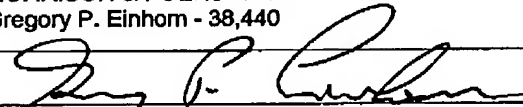
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>TRANSMITTAL FORM</b> (to be used for all correspondence after initial filing)		Application Number	10/081,739
		Filing Date	February 21, 2002
		First Named Inventor	Walter CALLEN
		Art Unit	1652
		Examiner Name	M. N. Rao
Total Number of Pages in This Submission	32	Attorney Docket Number	564462006000

**ENCLOSURES (Check all that apply)**

<input checked="" type="checkbox"/> Fee Transmittal Form (1 page + duplicate) <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply (27 pages) <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request (1 page) <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Fax Cover Sheet (1 page)
Remarks Customer No. 45975		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual name	MORRISON & FOERSTER LLP Gregory P. Einhorn - 38,440
Signature	
Date	October 7, 2004

I hereby certify that this correspondence is being facsimile transmitted to MS Amendment, the Patent and Trademark Office, facsimile no. (703) 872-8308, on the date shown below.

Dated: October 7, 2004

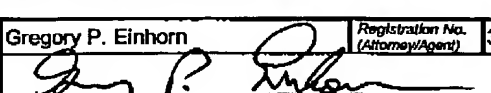
Signature:  (Norman Green)

sd-223576

PTO/SB/17 (10-04)

Approved for use through 7/31/2008. OMB 0651-0032  
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>FEE TRANSMITTAL</b> <b>for FY 2005</b> <small>Effective 10/01/2004. Patent fees are subject to annual revision.</small>		<b>Complete If Known</b>																																																																																																																																																																															
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Application Number	10/081,739																																																																																																																																																																														
		Filing Date	February 21, 2002																																																																																																																																																																														
		First Named Inventor	Walter CALLEN																																																																																																																																																																														
		Examiner Name	M. N. Rao																																																																																																																																																																														
		Art Unit	1652																																																																																																																																																																														
<b>TOTAL AMOUNT OF PAYMENT (\$)</b> 215.00		Attorney Docket No.	564462006000																																																																																																																																																																														
<b>METHOD OF PAYMENT (check all that apply)</b>		<b>FEE CALCULATION (continued)</b>																																																																																																																																																																															
<input type="checkbox"/> Check <input type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None <input checked="" type="checkbox"/> Deposit Account: Deposit Account Number: 03-1952 Deposit Account Name: Morrison & Foerster LLP The Director is authorized to: (check all that apply) <input checked="" type="checkbox"/> Charge fee(s) indicated below <input checked="" type="checkbox"/> Credit any overpayments <input checked="" type="checkbox"/> Charge any additional fee(s) or any underpayment of fee(s) <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.		<b>3. ADDITIONAL FEES</b> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Large Entity Fee Code</th> <th>Large Entity Fee (\$)</th> <th>Small Entity Fee Code</th> <th>Small Entity Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>1051</td><td>130</td><td>2051</td><td>65</td><td>Surcharge - late filing fee or oath</td><td></td></tr> <tr><td>1052</td><td>50</td><td>2052</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet</td><td></td></tr> <tr><td>1053</td><td>130</td><td>1053</td><td>130</td><td>Non-English specification</td><td></td></tr> <tr><td>1812</td><td>2,520</td><td>1812</td><td>2,520</td><td>For filing a request for <i>ex parte</i> reexamination</td><td></td></tr> <tr><td>1804</td><td>920*</td><td>1804</td><td>920*</td><td>Requesting publication of SIR prior to Examiner action</td><td></td></tr> <tr><td>1805</td><td>1,840*</td><td>1805</td><td>1,840*</td><td>Requesting publication of SIR after Examiner action</td><td></td></tr> <tr><td>1251</td><td>110</td><td>2251</td><td>55</td><td>Extension for reply within first month</td><td></td></tr> <tr><td>1252</td><td>430</td><td>2252</td><td>215</td><td>Extension for reply within second month</td><td>215.00</td></tr> <tr><td>1253</td><td>900</td><td>2253</td><td>490</td><td>Extension for reply within third month</td><td></td></tr> <tr><td>1254</td><td>1,530</td><td>2254</td><td>765</td><td>Extension for reply within fourth month</td><td></td></tr> <tr><td>1255</td><td>2,080</td><td>2255</td><td>1,040</td><td>Extension for reply within fifth month</td><td></td></tr> <tr><td>1401</td><td>340</td><td>2401</td><td>170</td><td>Notice of Appeal</td><td></td></tr> <tr><td>1402</td><td>340</td><td>2402</td><td>170</td><td>Filing a brief in support of an appeal</td><td></td></tr> <tr><td>1403</td><td>300</td><td>2403</td><td>150</td><td>Request for oral hearing</td><td></td></tr> <tr><td>1451</td><td>1,510</td><td>1451</td><td>1,510</td><td>Petition to institute a public use proceeding</td><td></td></tr> <tr><td>1452</td><td>110</td><td>2452</td><td>55</td><td>Petition to revive - unavoidable</td><td></td></tr> <tr><td>1453</td><td>1,330</td><td>2453</td><td>665</td><td>Petition to revive - unintentional</td><td></td></tr> <tr><td>1501</td><td>1,370</td><td>2501</td><td>685</td><td>Utility issue fee (or reissue)</td><td></td></tr> <tr><td>1502</td><td>490</td><td>2502</td><td>245</td><td>Design issue fee</td><td></td></tr> <tr><td>1503</td><td>860</td><td>2503</td><td>330</td><td>Plant issue fee</td><td></td></tr> <tr><td>1460</td><td>130</td><td>1460</td><td>130</td><td>Petitions to the Commissioner</td><td></td></tr> <tr><td>1807</td><td>50</td><td>1807</td><td>50</td><td>Processing fee under 37 CFR 1.17(q)</td><td></td></tr> <tr><td>1806</td><td>180</td><td>1806</td><td>180</td><td>Submission of Information Disclosure Sheet</td><td></td></tr> <tr><td>8021</td><td>40</td><td>8021</td><td>40</td><td>Recording each patent assignment per property (times number of properties)</td><td></td></tr> <tr><td>1809</td><td>790</td><td>2809</td><td>395</td><td>Filing a submission after final rejection (37 CFR 1.129(e))</td><td></td></tr> <tr><td>1810</td><td>790</td><td>2810</td><td>395</td><td>For each additional invention to be examined (37 CFR 1.129(b))</td><td></td></tr> <tr><td>1801</td><td>790</td><td>2901</td><td>395</td><td>Request for Continued Examination (RCE)</td><td></td></tr> <tr><td>1802</td><td>900</td><td>1802</td><td>900</td><td>Request for expedited examination of a design application</td><td></td></tr> </tbody> </table>		Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid	1051	130	2051	65	Surcharge - late filing fee or oath		1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet		1053	130	1053	130	Non-English specification		1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination		1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action		1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action		1251	110	2251	55	Extension for reply within first month		1252	430	2252	215	Extension for reply within second month	215.00	1253	900	2253	490	Extension for reply within third month		1254	1,530	2254	765	Extension for reply within fourth month		1255	2,080	2255	1,040	Extension for reply within fifth month		1401	340	2401	170	Notice of Appeal		1402	340	2402	170	Filing a brief in support of an appeal		1403	300	2403	150	Request for oral hearing		1451	1,510	1451	1,510	Petition to institute a public use proceeding		1452	110	2452	55	Petition to revive - unavoidable		1453	1,330	2453	665	Petition to revive - unintentional		1501	1,370	2501	685	Utility issue fee (or reissue)		1502	490	2502	245	Design issue fee		1503	860	2503	330	Plant issue fee		1460	130	1460	130	Petitions to the Commissioner		1807	50	1807	50	Processing fee under 37 CFR 1.17(q)		1806	180	1806	180	Submission of Information Disclosure Sheet		8021	40	8021	40	Recording each patent assignment per property (times number of properties)		1809	790	2809	395	Filing a submission after final rejection (37 CFR 1.129(e))		1810	790	2810	395	For each additional invention to be examined (37 CFR 1.129(b))		1801	790	2901	395	Request for Continued Examination (RCE)		1802	900	1802	900	Request for expedited examination of a design application	
Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid																																																																																																																																																																												
1051	130	2051	65	Surcharge - late filing fee or oath																																																																																																																																																																													
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet																																																																																																																																																																													
1053	130	1053	130	Non-English specification																																																																																																																																																																													
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination																																																																																																																																																																													
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action																																																																																																																																																																													
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action																																																																																																																																																																													
1251	110	2251	55	Extension for reply within first month																																																																																																																																																																													
1252	430	2252	215	Extension for reply within second month	215.00																																																																																																																																																																												
1253	900	2253	490	Extension for reply within third month																																																																																																																																																																													
1254	1,530	2254	765	Extension for reply within fourth month																																																																																																																																																																													
1255	2,080	2255	1,040	Extension for reply within fifth month																																																																																																																																																																													
1401	340	2401	170	Notice of Appeal																																																																																																																																																																													
1402	340	2402	170	Filing a brief in support of an appeal																																																																																																																																																																													
1403	300	2403	150	Request for oral hearing																																																																																																																																																																													
1451	1,510	1451	1,510	Petition to institute a public use proceeding																																																																																																																																																																													
1452	110	2452	55	Petition to revive - unavoidable																																																																																																																																																																													
1453	1,330	2453	665	Petition to revive - unintentional																																																																																																																																																																													
1501	1,370	2501	685	Utility issue fee (or reissue)																																																																																																																																																																													
1502	490	2502	245	Design issue fee																																																																																																																																																																													
1503	860	2503	330	Plant issue fee																																																																																																																																																																													
1460	130	1460	130	Petitions to the Commissioner																																																																																																																																																																													
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)																																																																																																																																																																													
1806	180	1806	180	Submission of Information Disclosure Sheet																																																																																																																																																																													
8021	40	8021	40	Recording each patent assignment per property (times number of properties)																																																																																																																																																																													
1809	790	2809	395	Filing a submission after final rejection (37 CFR 1.129(e))																																																																																																																																																																													
1810	790	2810	395	For each additional invention to be examined (37 CFR 1.129(b))																																																																																																																																																																													
1801	790	2901	395	Request for Continued Examination (RCE)																																																																																																																																																																													
1802	900	1802	900	Request for expedited examination of a design application																																																																																																																																																																													
<b>FEE CALCULATION</b>		Other fee (specify)																																																																																																																																																																															
<b>1. BASIC FILING FEE</b> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Large Entity Fee Code</th> <th>Large Entity Fee (\$)</th> <th>Small Entity Fee Code</th> <th>Small Entity Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>1001</td><td>790</td><td>2001</td><td>395</td><td>Utility filing fee</td><td></td></tr> <tr><td>1002</td><td>350</td><td>2002</td><td>175</td><td>Design filing fee</td><td></td></tr> <tr><td>1003</td><td>550</td><td>2003</td><td>275</td><td>Plant filing fee</td><td></td></tr> <tr><td>1004</td><td>790</td><td>2004</td><td>395</td><td>Reissue filing fee</td><td></td></tr> <tr><td>1005</td><td>160</td><td>2005</td><td>80</td><td>Provisional filing fee</td><td></td></tr> </tbody> </table> <p style="text-align: right;"><b>SUBTOTAL (1) (\$)</b> 0.00</p>		Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid	1001	790	2001	395	Utility filing fee		1002	350	2002	175	Design filing fee		1003	550	2003	275	Plant filing fee		1004	790	2004	395	Reissue filing fee		1005	160	2005	80	Provisional filing fee		<b>2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE</b> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Large Entity Fee Code</th> <th>Large Entity Fee (\$)</th> <th>Small Entity Fee Code</th> <th>Small Entity Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>1202</td><td>18</td><td>2202</td><td>9</td><td>Claims in excess of 20</td><td></td></tr> <tr><td>1201</td><td>88</td><td>2201</td><td>44</td><td>Independent claims in excess of 3</td><td></td></tr> <tr><td>1203</td><td>300</td><td>2203</td><td>150</td><td>Multiple dependent claim, if not paid</td><td></td></tr> <tr><td>1204</td><td>88</td><td>2204</td><td>44</td><td>** Reissue independent claims over original patent</td><td></td></tr> <tr><td>1205</td><td>18</td><td>2205</td><td>9</td><td>** Reissue claims in excess of 20 and over original patent</td><td></td></tr> </tbody> </table> <p style="text-align: right;"><b>SUBTOTAL (2) (\$)</b> 0.00</p> <p><small>** or number previously paid, if greater; For Reissues, see above</small></p>		Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid	1202	18	2202	9	Claims in excess of 20		1201	88	2201	44	Independent claims in excess of 3		1203	300	2203	150	Multiple dependent claim, if not paid		1204	88	2204	44	** Reissue independent claims over original patent		1205	18	2205	9	** Reissue claims in excess of 20 and over original patent																																																																																																							
Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid																																																																																																																																																																												
1001	790	2001	395	Utility filing fee																																																																																																																																																																													
1002	350	2002	175	Design filing fee																																																																																																																																																																													
1003	550	2003	275	Plant filing fee																																																																																																																																																																													
1004	790	2004	395	Reissue filing fee																																																																																																																																																																													
1005	160	2005	80	Provisional filing fee																																																																																																																																																																													
Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid																																																																																																																																																																												
1202	18	2202	9	Claims in excess of 20																																																																																																																																																																													
1201	88	2201	44	Independent claims in excess of 3																																																																																																																																																																													
1203	300	2203	150	Multiple dependent claim, if not paid																																																																																																																																																																													
1204	88	2204	44	** Reissue independent claims over original patent																																																																																																																																																																													
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent																																																																																																																																																																													
<b>SUBMITTED BY</b>		<b>(Complete if applicable)</b>																																																																																																																																																																															
Name (Print/Type) Gregory P. Einhorn Signature 		Registration No. (Attorney/Agent) 38,440 Telephone (858) 720-5133 Date October 7, 2004																																																																																																																																																																															

sd-223575

**This Page is Inserted by IFW Indexing and Scanning  
Operations and is not part of the Official Record**

**BEST AVAILABLE IMAGES**

Defective images within this document are accurate representations of the original documents submitted by the applicant.

Defects in the images include but are not limited to the items checked:

- ☐ BLACK BORDERS
- ☐ IMAGE CUT OFF AT TOP, BOTTOM OR SIDES
- ☐ FADED TEXT OR DRAWING
- ☐ BLURRED OR ILLEGIBLE TEXT OR DRAWING
- ☐ SKEWED/SLANTED IMAGES
- ☐ COLOR OR BLACK AND WHITE PHOTOGRAPHS
- ☐ GRAY SCALE DOCUMENTS
- ☒ LINES OR MARKS ON ORIGINAL DOCUMENT
- ☐ REFERENCE(S) OR EXHIBIT(S) SUBMITTED ARE POOR QUALITY
- ☐ OTHER: \_\_\_\_\_

**IMAGES ARE BEST AVAILABLE COPY.**

**As rescanning these documents will not correct the image problems checked, please do not report these problems to the IFW Image Problem Mailbox.**